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## Oregon Fish and Wildlife Commission

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Meeting:  
Thursday, June 6, 2019 – 8:00 AM  
Oregon Dept. of Fish and Wildlife  
Commission Room  
4034 Fairview Industrial DR SE  
Salem, OR 97302

Meeting:  
Friday, June 7, 2019 – 8:00 AM  
Oregon Dept. of Fish and Wildlife  
Commission Room  
4034 Fairview Industrial DR SE  
Salem, OR 973021

Commission minutes are considered draft until approved by the Commission.

Notice of these meetings had been made by press release of statewide media circulation.  
Those attending part or all of the meeting included:

Mike Finley, Chairman  
Holly Akenson, Commissioner  
Bruce Buckmaster, Commissioner  
Jim Bittle, Commissioner  
Mary Wahl, Commissioner  
Bob Spelbrink, Commissioner

Curt Melcher, Director  
Erica Kleiner, Deputy Director  
Shannon Hurn, Deputy Director  
Mark Vargas, Interim Deputy Director  
Bruce Eddy, East Region Manager  
Bernadette Graham-Hudson, West Region Manager  
Anika Marriott, Assistant Attorney General  
Erin Donald, Assistant Attorney  
Michelle Tate, Executive Assistant  
Chris Kern, Deputy Fish Division Administrator  
Doug Cottam, Wildlife Division Administrator  
Casey Thomas, Captain Oregon State Police

### MEETING

On Thursday, **June 6, 2019 at 8:00 AM**, Chair **Mike Finley** called the **Oregon Fish and Wildlife Commission** (the Commission) meeting to order.

Commissioner Greg Wolley is excused for personal business

### DIRECTOR'S REPORT

Field Reports – in written form only; *this report is available in the meeting materials and at [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/June%202019%20Field%20Report%20.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/June%202019%20Field%20Report%20.pdf)*

#### Expenditure Report

Staff: Erica Kleiner, Deputy Director for Administration

Revenues continue to come in at an expected pace. Federal revenues are still leaning towards flat funding or reductions. Other Funds spending is currently below projections. The department expects that expenditures in May and June will be higher, but still be below total budgeted amounts barring unforeseen costs.

1 This report is available in the meeting materials and at  
2 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/Commission%20Financial%20Report%20June%202019.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/Commission%20Financial%20Report%20June%202019.pdf)  
3  
4

#### 5 Crab Pots and Whale Entanglement

6 Staff: Caren Braby, Marine Resources Program Manager

7 Caren provided the Commission a presentation on reducing risk of whale entanglements  
8 in Dungeness crab gear; building resiliency into the crab management framework. The  
9 presentation included a summary of large whale entanglement in fishing gear; whale and  
10 crab fishing effort off Oregon; existing regulations that have reduced risk; Oregon's  
11 recent efforts to address increasing entanglements; summary of working group efforts;  
12 and potential entanglement mitigation management measures.  
13

14 This presentation is available in the meeting materials and at

15 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/  
16 Director's%20Report\\_Whale.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/Director's%20Report_Whale.pdf)  
17

#### 18 PUBLIC FORUM

19 This part of the agenda is for comments on topics not scheduled on the agenda. The  
20 Commission will be unable to take action on items brought to their attention in this forum.  
21

22 *SB 593, Resident disabled veteran hunting licenses- provided written testimony*

23 *Ron Hjort*

24 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/Public%20Foru  
25 m\\_Ron%20Hjort.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/Public%20Forum_Ron%20Hjort.pdf)  
26

27 *Turkeys; and combined angling tags- provided written testimony*

28 *Craig Star*

29 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/Public%20Foru  
30 m\\_Craig%20Star.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/Public%20Forum_Craig%20Star.pdf)  
31

32 *Columbia River Fishing*

33 *David Moskowitz, The Conservation Angler – provided written testimony*

34 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/OFWC%20Barb  
35 less%20CRC-NOF%20Summer-Fall%20Fishery%20-%20TCA.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/OFWC%20Barbless%20CRC-NOF%20Summer-Fall%20Fishery%20-%20TCA.pdf)  
36

#### 37 Adopt Temporary Rules

38 Curt Melcher, Director, requested the Commission ratify the following temporary rules.

39 The five (5) temporary rules were previously adopted by the director under his emergency  
40 action authority.  
41

##### 42 1.) 635-019-0090

#### 43 Spring Chinook Salmon Closure on the Umatilla River in the Northeast Zone.

44 Adopted May 21, 2019: effective May 25, through June 30, 2019.

45 Closure of the Umatilla River to angling for spring Chinook salmon from the Hwy  
46 730 bridge to the CTUIR reservation boundary (approximately 0.7 miles above Hwy 11  
47 bridge). Closure due to lower than expected returns of spring Chinook salmon returning to

1 the Umatilla River. Implementation of this rule will protect returning adults for hatchery  
2 broodstock.

3  
4 **2.) 635-039-0085**

5 **Sport Pacific Halibut All-Depth Season from Leadbetter Point, WA to Cape Falcon,**  
6 **OR Closes**

7 Adopted May 28, 2019: effective May 30, through September 30, 2019.

8 Amended rule closes the all-depth sport fishery for Pacific halibut in the area  
9 between Leadbetter Point, WA and Cape Falcon, OR at 11:59 p.m. on Wednesday, May  
10 29, 2019 due to projected attainment of the pre-season quota of 14,627 pounds. The rule  
11 is consistent with regulations previously implemented by the Federal Government and the  
12 International Pacific Halibut Commission for the 2019 Oregon sport fishery for Pacific  
13 halibut.

14  
15 **3.) 635-021-0090**

16 **Malheur River Salmon Fishery Open to Angling in the Southeast Zone.**

17 Adopted May 24, 2019: effective June 12, through August 15, 2019.

18 Rule modification allows Burns Paiute Tribal members to angle for hatchery Chinook  
19 salmon released in the Malheur River using traditional methods as regulated by adopted  
20 tribal regulations. The general public is allowed to fish for hatchery salmon with a valid  
21 angling license and using methods allowed by the 2019 regulations.

22  
23 **4.) 635-023-0090**

24 **Allow Barbed Hooks When Angling for Salmon, Steelhead, and Trout in Columbia**  
25 **River Zone**

26 Adopted May 30, 2019: effective June 1, through November 27, 2019.

27 Amended rule removes prohibition on use of barbed hooks when angling for salmon,  
28 steelhead, and trout in the Columbia Zone. Rule follows adoption of this rule by WDFW  
29 and ensures that Columbia River fishery regulations will remain concurrent between OR  
30 and WA.

31  
32 **5.) 635-039-0085**

33 **Modifications to Sport Pacific Halibut All-Depth Season; from Leadbetter Point, WA**  
34 **to Cape Falcon, OR**

35 Adopted May 31, 2019: effective June 6, through September 30, 2019.

36 Amended rule opens the nearshore sport fishery for Pacific halibut in the area  
37 between Leadbetter Point, WA and Cape Falcon, OR at 12:01 a.m. on Thursday, June 6,  
38 2019 to seven days per week, and re-opens the all-depth fishery for one additional day,  
39 Thursday, June 20, 2019. This is to allow for further opportunity to harvest the quotas.  
40 The rule is consistent with regulations previously implemented by the Federal  
41 Government and the International Pacific Halibut Commission for the 2019 Oregon sport  
42 fishery for Pacific halibut.

43  
44 Action:

45 Commissioner Buckmaster moved to ratify the five (5) temporary rules set forth in today's  
46 tan agenda. Commissioner Bittle seconded the motion, and the motion carried, four (4)  
47 infavor Finley, Buckmaster, Bittle, Splebrink; two (2) opposed, Akenson, Wahl.

1 Commissioner Akenson read the following statement into the record- "I support allowing  
2 barbed hooks as part of the bi-state recommendation for the Columbia River Fisheries  
3 Policy update. But I will vote against this temporary rule. This is because I am opposed to  
4 the inappropriate way this Commission has been denied the opportunity to vote on  
5 whether to approve the concurrent fisheries policy for 2019 that was recommended by the  
6 Oregon and Washington Commissions' subcommittee. After several years of non-  
7 concurrent fishing regulations in the Columbia River the Commissioners from both states  
8 got to meet and negotiate an adaptive management strategy to improve the Columbia  
9 River Fisheries Policy and bring the states together in concurrent policy and regulations. I  
10 was a member of that subcommittee. Washington's Commission approved the bi-state  
11 recommendation for 2019. Oregon's Commission has had the Policy on the agenda twice,  
12 but revoked it twice - right before the meetings. It was well known by all involved that a  
13 majority of Oregon's Commissioners would soon be replaced, and given the complexity of  
14 the fisheries and the comprehensive analysis of the effectiveness of the current policy, it  
15 was imperative to complete the update of the Columbia River Fisheries Policy before 5 of  
16 7 commission positions were filled by new Commissioners. In my 8 years as a Fish and  
17 Wildlife Commissioner I felt resolving the Columbia River Fisheries Policy would be my  
18 most important vote. Instead, at my last meeting as a Commissioner I have been denied  
19 that vote. There is no excuse for the Oregon Commission to avoid our responsibility to  
20 implement these rules in a timely manner."

21  
22 Commissioner Buckmaster agreed with Commissioner Akenson comments on delaying  
23 the vote on something that the Commission was asked to do, and did. Commissioner  
24 Buckmaster voted to ratify the temporary rule to allow barbed hooks to bring Oregon into  
25 concurrence with Washington. He expressed concern that the delay on the Commission  
26 voting on the rules may send the message to Washington that Oregon is not willing to  
27 work together to gain concurrent regulations for the Columbia River.  
28

#### 29 **Exhibit A: COMMISSION MINUTES**

30 Action:

31 Commissioner Akenson moved to approve the April 19, 2019 and May 17, 2019  
32 meeting minutes with continued authority to correct grammar and punctuation.  
33 Commissioner Bittle seconded the motion and the motion was carried April 19, 2019 five  
34 (5) in favor Finley, Akenson, Buckmaster, Bittle, Spelbrink; one (1) abstain Wahl. May 17,  
35 2019 the motion was carried six (6) infavor.  
36

#### 37 **Exhibit B: COMMERCIAL COASTAL PELAGIC FISHERIES**

38 The Commission was asked to adopt by reference federal sardine harvest limits for  
39 Jul 2019-Jun 2020

40 Staff: Caren Braby, Marine Resources Program Manager  
41

42 *Presentation:* Caren provided the Commission with a presentation on management  
43 measures for Coastal Pelagic Species Fisheries. This presentation included information  
44 on issues for consideration; Federal Management measures; sardine stock status;  
45 historical sardine trends; federal sardine harvest limits; federal sardine management; and  
46 staff recommendation.  
47

1 *This presentation is located in the commission material and can be viewed at*  
2 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/B/Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/B/Presentation.pdf)

3 No Public Testimony  
4 Rulemaking

5  
6 Action:

7 Commissioner Spelbrink moved to adopt the staff recommended rules for the  
8 Coastal Pelagic Species fisheries as proposed in Attachment 3, and authorize the staff to  
9 incorporate the appropriate citations to reflect the federal regulations, when  
10 available. Commissioner Buckmaster seconded the motion and the motion was carried six  
11 (6) in favor.

12  
13 **Exhibit C: 2020 AUCTION and RAFFLE TAGS**

14 The Commission was asked to approve recommendations of the Access and  
15 Habitat Board and department staff for 2020 auction and raffle tag allocations.

16 Staff: Don Whittaker, Ungulate Coordinator

17  
18 Presentation: Don provided the Commission with a presentation including a program  
19 overview, species proposals, 2019 income, and 2020 proposals.

20  
21 *This presentation is located in the commission material and can be viewed at*  
22 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/Exhibit%20C\\_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/Exhibit%20C_Presentation.pdf)

23  
24 No Public Testimony  
25 Approval

26 Action:

27 Commissioner Akenson moved to approve the 2020 auction and raffle big game  
28 tag allocations as proposed by staff. Commissioner Bittle seconded the motion and the  
29 motion was carried six (6) in favor.

30  
31 **EXHIBIT D: ACCESS AND HABITAT PROJECT FUNDING APPROVAL**

32 The Commission was asked to approve Access and Habitat Board recommendations  
33 for project funding

34 Staff: Tom Thornton, Game Program Manager

35  
36 Presentation: Tom provided the Commission with a presentation on the board  
37 recommended projects: Lawen Access Area; and Rice Access project.

38  
39 *This presentation is located in the commission material and can be viewed at*  
40 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/Exhibit%20D\\_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/Exhibit%20D_Presentation.pdf)

41  
42 No Public Testimony  
43 Approval

44 Action:

45 Commissioner Wahl moved to approve the Lawen Access Area projects  
46 recommended for funding by the Access & Habitat Board. Commissioner Akenson  
47 seconded the motion and the motion was carried seven (7) in favor.

1 **EXHIBIT E: Big Game Regulation Simplification Process**  
2 The Commission was provided with an informational update on the Big Game Regulation  
3 Simplification Process.  
4 Staff: Nick Myatt, Big Game Hunting Review Project Lead

5  
6 Presentation: Nick provided the Commission with a presentation on the Big  
7 Game Hunting Review. This presentation included information on the project  
8 goals, hunter survey, and summary of proposals from the departments review,  
9 specific proposals, and next steps.

10  
11 *This presentation is located in the commission material and can be viewed at*  
12 [https://www.dfw.state.or.us/agency/commission/minutes/19/06\\_June/Exhibit%20E\\_Prese](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/Exhibit%20E_Presentation.pdf)  
13 [ntation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/06_June/Exhibit%20E_Presentation.pdf)

14 **Public Testimony**

Jim Akenson, Oregon Hunters Association	
Bryan Cook	
Wayne Endicott, OOI, OBH, Self	Sumbitted Commnet
Riley Savage, Traditional Archers of Oregon	
Robert Bourland, Traditional Archers of Oregon	
Caeson Brown, Traditional Archers of Oregon	
Craig Star	

15 Commission Assignemnts that will need to be considered  
16 OWED Commission rep. Interat Audit committee, and the  
17 Oregon/ Washington joint state Columbia River fisheries  
18 sub committee

19  
20 **Executive Session**

21 The Executive Session is held pursuant to ORS 192.660 (2)(f) which allow the  
22 Commission to meet in executive session to consider information or records that are  
23 exempt by law from public inspection.

24  
25 **ADJOURN**

26 Chaiman Mike Finley adjourned the meeting at 1:34 p.m.

27  
28